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10/762,471	01/23/2004	Masamichi Takahashi	118462	5465
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EXAMINER				
ROBINSON BOYCE, AKIBA K				
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3628				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/762,471

Applicant(s)

TAKAHASHI ET AL.

Examiner

AKIBA K. ROBINSON BOYCE

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. Due to communications filed 3/2/09, the following action is final. Claims 1-4, 6-9, 11, 12 and 14 have been amended. Claims 1-18 are pending in this application, have been examined on the merits, and are rejected as follows. The finality of the previous rejection has been withdrawn, and the present rejection is based on the amendments filed 3/2/09.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2-7, 9-12, 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlack (US 2007/0226628 A1), and further in view of Hamilton (US 2004/0103058 A1).

As per claims 1, 2, 6, 7, 11, 12, Schlack discloses:

A survey unit configured to inquire directly to the groups concerning activities performed by the groups, each of the activities include one or more concepts/surveying groups concerning activities..., ([0020], lines 18-24, shows surveys

specific to the communities are used and created as activities and are monitored, and also shows focus groups that engage in activities and invited to engage in a product concept test designed to gather feedback, in this case, the actual unit is not explicitly expressed, however inherent since Schlack is focused on a browser-enabled system of software and services used to carry out the invention as shown in [0014])

wherein the survey unit is configured to aggregate plural responses received from the groups into survey result information, ([0020], lines 24-27, aggregated results);

a survey result storing unit configured to store the survey result information/extracting activity data that are included in responses, ([0006], data storage means for storing member contributions, and output means for displaying member contributions to the community and [0020], lines 27-30, shows results are made visible by each community, and shows activity content or results are specific to an visible to each community);

and

a concept analysis unit; wherein the concept analysis unit is configured to examine activity data included in responses directed the survey result information, to perform an analysis of the concepts that are used for the activities by the groups, and to generate concept data obtained as representing a common concept shared by the groups/analyzing the concepts.../generate concept data...([0003], shows combining and extending the concepts of focus groups and Customer Relationship Management (CRM), and in [0020], a select number of members may be invited to a engage in an

initial product concept test designed to gather feedback and iterate the product before presenting the concept to the general population)

Schlack does not specifically disclose the following however Hamilton discloses Analytic Network Process (ANP) 130 incorporates dependencies and feedback, and while hierarchies are concerned with the extent of a quality among the elements being compared, a network is concerned with the extent of influence of elements on some element with respect to a given quality in [0067]. Also, in [0064], Hamilton discloses incorporating feedback analysis, conflicting objectives, subjective judgements and uncertain data, where the decision analysis system facilitates a systematic and adaptable group and or individual decision making process to prioritize, recommend and monitor specific actions.

It therefore would be obvious to combine the teachings of Schlack and Hamilton to disclose an analysis and evaluation unit having and an evaluation unit, and the evaluation unit is configured to calculate a strength of influence and an extent of influence, for each of the groups, based on the activities, the concepts or the groups, or scores or an arbitrary combination thereof/calculating a strength of influence.... It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose the above limitation with the motivation of incorporating a sensitivity factor as it relates to users of the group.

As per claims 2, 7, 12, Schlack discloses:

wherein the activity data include partner group data representing groups that have acted as partners for the activities, and activity contents data representing contents of the activities, ([0003] shows connecting with partners);

wherein the concept analysis unit analyzes the activity contents data included in the activity data, and generates the concept data representing the concept of the activities/analyzing the activity contents...generating...([0003], shows combining and extending the concepts of focus groups and Customer Relationship Management (CRM), and in [0020], a select number of members may be invited to engage in an initial product concept test designed to gather feedback and iterate the product before presenting the concept to the general population); and

Schlack does not specifically disclose the following however Hamilton discloses Analytic Network Process (ANP) 130 incorporates dependencies and feedback, and while hierarchies are concerned with the extent of a quality among the elements being compared, a network is concerned with the extent of influence of elements on some element with respect to a given quality in [0067]. Also, in [0064], Hamilton discloses incorporating feedback analysis, conflicting objectives, subjective judgements and uncertain data, where the decision analysis system facilitates a systematic and adaptable group and or individual decision making process to prioritize, recommend and monitor specific actions.

It therefore would be obvious to combine the teachings of Schlack and Hamilton to disclose wherein, based on 1) either or both of the activity contents data and the

concept data, and 2) the partner group data, the evaluation unit evaluates a number of groups that are influenced by either or both of the activities and the concepts, a magnitude and a range of an influence, or values of one or more arbitrary combinations of the number of groups, the magnitude of the influence, and the range of the influence/evaluating... It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose the above limitation with the motivation of incorporating a sensitivity factor as it relates to users of the group.

As per claims 4, 9, 14, Schlack discloses:

wherein activity data includes object group data representing objects for the activities, and activity contents data that represents contents of the activities, ([0054], shows group decision support for documenting, collecting, normalizing and acting on group input);

wherein the concept analysis unit analyzes the psychological activity content data included in the activity data, and generates the concept data that represents the concepts of the psychological activities/analyzing the psychological activity...generating the content data..., ...([0003], shows combining and extending the concepts of focus groups and Customer Relationship Management (CRM), and in [0020], a select number of members may be invited to a engage in an initial product concept test designed to gather feedback and iterate the product before presenting the concept to the general population);

Schlack does not specifically disclose wherein the activities are psychological activities, however, Hamilton discloses capture of the rationale for each score in [0097].

It therefore would be obvious to combine the teachings of Schlack and Hamilton to disclose wherein the activities are psychological activities. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose wherein the activities are psychological activities with the motivation of incorporating the user's psychological reasoning into evaluating group activities.

Schlack does not specifically disclose the following however Hamilton discloses Analytic Network Process (ANP) 130 incorporates dependencies and feedback, and while hierarchies are concerned with the extent of a quality among the elements being compared, a network is concerned with the extent of influence of elements on some element with respect to a given quality in [0067]. Also, in [0064], Hamilton discloses incorporating feedback analysis, conflicting objectives, subjective judgements and uncertain data, where the decision analysis system facilitates a systematic and adaptable group and or individual decision making process to prioritize, recommend and monitor specific actions.

It therefore would be obvious to combine the teachings of Schlack and Hamilton to disclose wherein, based on 1) either or both of the psychological activity contents data and the concept data, and 2) the object group data, the evaluation unit evaluates a number of groups that are influenced by either or both of the psychological activities and the concepts, a magnitude of an influence and a range of the influence, or one or more values of one or more arbitrary combinations of the number of groups, the magnitude of the influence and the range of the influence. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose the

above limitation with the motivation of incorporating a sensitivity factor as it relates to users of the group.

As per claims 5, 10, 15, Schlack discloses:

wherein the groups are either or both of members and organizations that include one or more components, ([0021], technology components).

As per claim 16, Schlack discloses:

the inquiry unit is configured to inquire members of each group about one or more activities performed by the members of each group, ([0020], shows surveys specific to the communities are used and created as activities and are monitored, and also shows focus groups that engage in activities and invited to engage in a product concept test designed to gather feedback, in this case, the actual unit is not explicitly expressed, however inherent since Schlack is focused on a browser-enabled system of software and services used to carry out the invention as shown in [0014]). Schlack discloses this limitation in an analogous art for the purpose of showing that surveys and feedback are used to determine information about user activity experiences.

the concept analysis unit is configured to examine activity data included in responses received from the members of each group and to perform analysis of one or more concepts that are used for the activities performed by the members of each group, ...([0003], shows combining and extending the concepts of focus groups and Customer Relationship Management (CRM), and in [0020], a select number of members may be invited to a engage in an initial product concept test designed to gather feedback and iterate the product before presenting the concept to the general population);

As per claims 17, 18, Schlack discloses:

the directing directs inquiries to members of each group about one or more activities performed by the members of each group; the examining examines activity data that are included in responses to the inquiries received from the members of each group..., ([0020], shows surveys specific to the communities are used and created as activities and are monitored, and also shows focus groups that engage in activities and invited to engage in a product concept test designed to gather feedback, in this case, the actual unit is not explicitly expressed, however inherent since Schlack is focused on a browser-enabled system of software and services used to carry out the invention as shown in [0014]);

the analyzing analyses concepts that are used for the activities performed by the members of each group, ...([0003], shows combining and extending the concepts of focus groups and Customer Relationship Management (CRM), and in [0020], a select number of members may be invited to a engage in an initial product concept test designed to gather feedback and iterate the product before presenting the concept to the general population);

4. Claims 3, 8, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlack (US 2007/0226628 A1), and further in view of Hamilton (US 2004/0103058 A1), and further in view of Masamichi et al (JP A 2003-085347), as cited by applicant.

As per claims 3, 8, 13, Schlack discloses:

wherein the concept analysis unit analyzes the information content data included in the activity data, and generates the concept data that represents a concept of the information that has been propagated/analyzing...generating...,([0003], shows combining and extending the concepts of focus groups and Customer Relationship Management (CRM), and in [0020], a select number of members may be invited to a engage in an initial product concept test designed to gather feedback and iterate the product before presenting the concept to the general population);

Schlack does not specifically disclose the following however Hamilton discloses Analytic Network Process (ANP) 130 incorporates dependencies and feedback, and while hierarchies are concerned with the extent of a quality among the elements being compared, a network is concerned with the extent of influence of elements on some element with respect to a given quality in [0067]. Also, in [0064], Hamilton discloses incorporating feedback analysis, conflicting objectives, subjective judgements and uncertain data, where the decision analysis system facilitates a systematic and adaptable group and or individual decision making process to prioritize, recommend and monitor specific actions.

It therefore would be obvious to combine the teachings of Schlack and Hamilton to disclose wherein, based on either or both of 1)the information content data and the concept data, and 2)the recipient group data, the evaluation unit evaluates a number of groups that are influenced by either or both of the information and concepts, a magnitude and the range of an influence, or one or more values of one or more arbitrary combinations of the number of groups, the magnitude of the influence, and the

range of the influence/evaluating...It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose the above limitation with the motivation of incorporating a sensitivity factor as it relates to users of the group.

Neither Schlack nor Hamilton disclose the following, however Masamichi et al discloses:

wherein the activities are propagation of information, wherein activity data includes information recipient data representing recipient groups of information and information contents data representing contents of the information that has been propagated/wherein the concept data include information recipient data representing recipient groups of information and information contents data representing the contents of the information that has been propagated, ([0024], [0026], shows use of mailing lists or (MLs), which represent a propagation of information, w/[0046], shows # of replies, # of speakers, etc., which represent contents of the information that has been sent with the mailing lists about activity or event data);

It would be obvious to combine the teachings of Schlack, Hamilton and Masamichi et al to disclose the above limitation. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose wherein the activities are propagation of information, wherein activity data includes information recipient data representing recipient groups of information and information contents data representing contents of the information that has been propagated/wherein the concept data include information recipient data representing recipient groups of information and information contents data representing the contents of the information

that has been propagated with the motivation of showing that propagation information can be incorporated into a system for evaluating group activities.

Response to Arguments

5. Applicant's arguments, see remarks, filed 3/2/09, with respect to the finality of the previous office action and the 35 USC 112 rejection have been fully considered and are persuasive. The finality and the 35 USC 112 rejection of claims 1-18 has been withdrawn.
6. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Friday 9am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the

•Patent Application Information Retrieval (PAIR) system, Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

A. R. B.
November 23, 2008

/Akiba K Robinson-Boyce/
Primary Examiner, Art Unit 3628